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Atty. Dkt. No. 018733-0996



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shui-on LEUNG et al.

Title: IMMUNOCONJUGATES AND HUMANIZED ANTIBODIES SPECIFIC FOR B-CELL LYMPHOMA AND LEUKEMIA CELLS

Appl. No.: 09/741,843

Filing Date: 12/22/2000

Examiner: Ronald B. Schwadron

Art Unit: 1644

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop NON-FEE AMENDMENT

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

Sir:

In a timely response to the restriction requirement set forth in the Office Action mailed December 18, 2003 Applicant hereby provisionally elects claims directed to a polynucleotide sequence encoding an antibody that contains one or more CDRs from SEQ ID NOS: 2 and/or 4 (amino acid sequences of the variable light and heavy chain murine LL2 monoclonal antibody) or components of these antibodies, such as individual CDRs, light chain variable regions or heavy chain variable regions containing these CDRs. Applicants therefore elect claims 95-110, 113-117, 120, 121, and 124-133, 136-143, and 146-149 for examination, with traverse. These elected claims are directed to polynucleotide sequences that encode antibody or antibody components containing one or more of these CDRs.

The Examiner has required restriction between claims to polynucleotides to different antibodies. Applicants submit that the claims directed to polynucleotides encoding entire murine variable light and heavy chain regions as claimed in claims 118, 119, 134, 135, 144 and 145 also encode the same CDRs as in the elected claims and should be examined with the elected claims. Applicants respectfully request reconsideration of the Examiner's position.

In regard to the election of species, the Examiner has indicated that upon the allowance of a generic claim, additional species which contain the limitations of the generic claims would be allowable. Accordingly, applicant requests full examination of the generic claims once the elected species is found allowable.

Reconsideration of the restriction requirement is therefore respectfully requested as indicated above. Applicants, of course, reserve the right to file one or more divisional applications covering the subject matter of the non-elected claims and species. Examination on the merits is kindly requested.

Respectfully submitted,

Date January 20, 2004

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.